

REMARKS

By the above actions, claims 1, 2 and 5-8 have been amended. In view of these actions and the following remarks, reconsideration of this application is now requested.

Claims 1 and 5 have been rejected under 35 USC § 102 as being anticipated by the disclosure of the Sahoda et al. patent. However, to the extent that this rejection might relate to the claims as now presented, it should be withdrawn for the following reasons.

As now amended, the injector 3 of applicant's fuel cell arrangement has a nozzle 32 that extends from a fuel inlet opening 31 of the injector, a diffuser 33 having an outlet opening 34, a chamber 37 that is located between an outlet of the nozzle 32 and an entry area of the diffuser 33, and an intake opening 35 for a feed of anode exhaust gas from the fuel cell arrangement to the chamber 37. Within the chamber 37, in an area adjacent the entry area of the diffuser 33, a valve 36 is provided which has a passage therethrough and which is movable from a first position permitting the passage of the fuel from the nozzle to the outlet opening (Fig. 2) and a second position preventing the passage of fuel from the nozzle to the outlet opening (Fig. 3), the passage of the valve 36 forming an inlet portion of the diffuser 33 in its first position. Thus, applicant's nozzle 32 is an extension of the inlet opening 31 and the chamber is between the outlet of the nozzle 32 and the diffuser 33, with the passage of the valve 36 forming part of the diffuser passage.

In contrast, the Sahoda et al. patent discloses a fluid supply device for a fuel cell that is very different from that disclosed and as defined by amended claim 1. In the device of the Sahoda et al. patent, a diffuser 31 has a hydrogen inlet 32 and a hydrogen recirculation inlet 36 supply fuel to a diffuser 31 having nozzle with a throat portion 41 (39 is a hydrogen outlet, not a diffuser as indicated in the rejection), and a movable needle 33 which is movable axially within the hydrogen inlet and the nozzle throat so as to change their flow-through cross-sections. Thus, the nozzle does not extend from the inlet opening 32 and needle 33 has no passage extending through it let alone one that forms an inlet portion of the diffuser. Furthermore, the chamber 35 equated by the Examiner to applicant's chamber is not located between the outlet of Sahoda et al.'s nozzle and the entry area of their diffuser 31. Accordingly, it should be clear that the Sahoda et al. patent is incapable of rendering amended claim 1

obvious, let alone anticipating it. Therefore, withdrawal of the § 102 rejection based upon the Sahoda et al. patent is in order and is hereby requested.

Claims 2 and 6 have been rejected under 35 USC § 103 as being unpatentable over the disclosure of the Sahoda et al. patent when viewed in combination with the Kunz et al. patent. Here again, to the extent that this rejection may relate to amended claim 2, it should be withdrawn for the following reasons.

Firstly, essentially all of the same factors noted above as distinguishing amended claim 1 from the disclosure of the Sahoda et al. patent apply to claim 2 as well, and thus, need not be repeated. Additionally, Kunz et al. is merely cited for its teaching of the use of a reformer; however, since the patent contains no disclosure of the features which distinguish the present invention from the device of the Sahoda et al. patent, it cannot serve to overcome the deficiencies of the Sahoda et al. patent even if a reformer were to be added to their device. As such, this rejection should be withdrawn and such action is hereby requested.

Claims 3 and 7 have been rejected under 35 USC § 103 as being unpatentable over the disclosure of the Sahoda et al. patent when viewed in combination with the Matsuda et al. patent. Matsuda et al. is merely relied upon for its teaching of a burner, but since it contains no teachings relating to the features which distinguish the present invention as defined in claims 1 and 2 from the Sahoda et al., no combination of these two references can render the subject matter of applicant's claims unpatentable. Accordingly, withdrawal of this rejection is also in order and is now requested.

Claims 4 and 8 have been rejected under 35 USC § 103 as being unpatentable over the disclosure of the Sahoda et al. patent when viewed in combination with the Kunz et al. and Matsuda et al. patents. However, as already indicated, neither of the Kunz et al. and Matsuda et al. patents is able to suggest modifications to the device of the Sahoda et al. patent which would lead to the present invention as now claimed. Therefore, this rejection should also be withdrawn.

The references that have been cited but not applied by the Examiner have been taken into consideration. However, since these references were not found to be relevant enough by the Examiner to apply against the original claims, no detailed comments thereon are believed to be warranted at this time.

While this application should now be in condition for allowance, in the event that any issues should remain after consideration of this response which could be addressed through discussions with the undersigned, then the Examiner is requested to contact the undersigned by telephone for that purpose.

Respectfully submitted,



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